

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of )  
 )  
**Michael J. ELDER et al.** )  
 )  
Serial No. **10/539,683** )  
 )  
Filed **June 16, 2005** )  
 )  
For **PREPARATION OF HETEROCYCLIC KETONES** )

Mail Stop Missing Part  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TRANSMITTAL LETTER**


Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- ☒ Postcard
- ☒ Transmittal Letter (in duplicate)
- ☐ Application Data Sheet (\_\_\_\_ pages)
- ☐ Preliminary Amendment (\_\_\_\_ pages)
- ☐ Copy of PCT Request including Declaration (\_\_\_\_ pages)
- ☐ Copy of Declaration (\_\_\_\_ pages)
- ☐ Copy of Assignment (\_\_\_\_ pages)
- ☐ Assignment Cover Sheet
- ☒ Petition for Extension of Time (**2** pages) (in duplicate)
- ☒ Letter Transmitting Missing Requirements (**2** pages) (in duplicate)
- ☒ Copy of Declaration for Patent (**3** pages)
- ☒ Form PCT/DO/EO/905 (371 Formalities Notice) (**3** pages)

Respectfully submitted,

**MICHAEL J. ELDER ET AL.**

Basell USA Inc.  
912 Appleton Road  
Elkton, Maryland 21921  
Date: **November 7, 2006**

By   
**William R. Reid**  
Registration No. **47,894**  
Attorney for Applicant

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**KETONES** )

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Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**LETTER TRANSMITTING MISSING REQUIREMENTS UNDER 35 USC 371**

With reference to the Notification of Missing Requirements Under 35 USC 371 in the United States Designated/Elected Office, mailed July 27, 2006, here is a new **Declaration for Patent** for this case, appropriately combined into one document for all inventors.

This document relates to this application for which Form PTO-1390 was filed on June 16, 2005, and has been signed by the inventors whose names were given on the Application. Acceptance of this Declaration and filing of the same is requested.

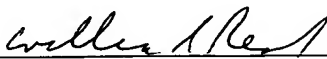
With respect to the notification of the instant application not containing a "Sequence Listing", please note this application does not contain nucleotide and/or amino acid sequences. Therefore, a computer readable "Sequence Listing" is not needed.

Please charge \$130 to Deposit Account No. 08-2336 to cover the surcharge required for late filing of the Declaration. For this purpose this letter is submitted in duplicate. Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-2336.

A Petition for Extension of Time accompanies this communication.

Respectfully submitted,

**MICHAEL J. ELDER ET AL.**

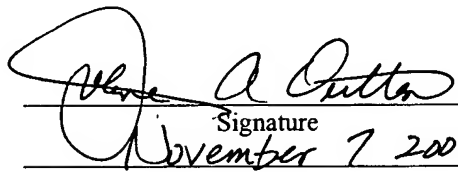
By   
William R. Reid  
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November 7, 2006

Attorney's Telephone No.: 410-996-1783  
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Attorney's E-mail: [william.reid@basell.com](mailto:william.reid@basell.com)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on November 7, 2006.

  
Signature  
November 7 2006  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/539,683	Michael J Elder	<del>09086-00228 US</del>

INTERNATIONAL APPLICATION NO.	
PCT/EP03/14358	
I.A. FILING DATE	PRIORITY DATE
12/17/2003	12/19/2002

23416  
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Received Basell

AUG 8 2006

IP / Law

CONFIRMATION NO. 8582

371 FORMALITIES LETTER



\*OC000000019777961\*

Date Mailed: 07/27/2006

Due: 9/29/06

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/16/2005
- Copy of the International Search Report filed on 06/16/2005
- Copy of IPE Report filed on 06/16/2005
- Preliminary Amendments filed on 06/16/2005
- Information Disclosure Statements filed on 06/16/2005
- Oath or Declaration filed on 06/16/2005
- Request for Immediate Examination filed on 06/16/2005
- U.S. Basic National Fees filed on 06/16/2005
- Priority Documents filed on 06/16/2005
- Power of Attorney filed on 06/16/2005
- Specification filed on 06/16/2005
- Claims filed on 06/16/2005
- Abstracts filed on 06/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - Declaration combined into one document. If Inventors are executing a separate Declaration; it must be a complete Declaration. (duplicate signature sheets) See MPEP 201.03

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

*not needed*

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,683	PCT/EP03/14358	09086-00228-US

FORM PCT/DO/EO/905 (371 Formalities Notice)